

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION

This document relates to:

Track Eight: Cobb County, Georgia

DAP COBB COUNTY,)

Plaintiff;)

- v -)

) MDL No. 2804

) No. 17-md-2804

PURDUE PHARMA, LP, et al.,)

Defendants.)

The Video-Recorded Deposition of GEORGIA
COMPOSITE MEDICAL BOARD (By Daniel Dorsey), having
been called by Defendants for examination, taken
pursuant to notice, and pursuant to all applicable
rules of the Federal Code of Civil Procedure,
conducted via videoconference, and commencing at the
hour of approximately 10:02 a.m. on the 6th day of
September, 2023.

Reported By Beth Radtke, RPR, CRR

License No. 084-004561

Legal Videographer: Kurt Henschel

Concierge Technician: Jake Franks

1 everything in order together and so that way it can
2 be -- that way it can be presented to our -- our
3 Board and the investigative committee and everyone
4 involved in the -- in the process.

5 But it just honestly depends on the type of
6 investigation and what all's associated with it.

7 Q. How about allegations of prescribing
8 wrongdoing by a licensee, that a licensee is, you
9 know, violating the standard of conduct with respect
10 to prescriptions? How long, on average, have you
11 seen those investigations take?

12 A. I mean, you know, again, it varies, but you
13 know, if I had to put a number on it, I mean, it
14 could take nine months to a year in some cases.

15 Just -- it really just depends upon the
16 complexity of it and what -- you know, what
17 information is contained in the complaint, what
18 information is -- is contained in the medical
19 records. Yeah, it depends.

20 Q. During that time when the Board is
21 undertaking that investigation, does that licensee
22 continue to maintain their license?

23 A. If an individual -- if there is a complaint
24 against an individual, if it's -- the Board may

1 utilize the summary suspension in some cases, but
2 sometimes they may -- they may not move forward with
3 that as quickly, and it would, you know, throughout
4 that process, the licensee may maintain an active
5 license. It just depends on the case.

6 Q. What's a summary suspension, Mr. Dorsey?

7 A. Summary suspension is when there is an
8 immediate public threat to if an individual has a
9 license.

10 Q. How many times have you seen that utilized
11 by the Board in your tenure?

12 A. I couldn't put a number on it, I'm sorry.

13 Q. Less than a hundred?

14 A. I believe so.

15 Q. Is it rare for the Board to issue a summary
16 suspension?

17 A. I mean, it depends. You know, it's -- you
18 know, it's -- if there is an immediate public threat
19 is when is Board -- when the Board would move forward
20 with summary suspension.

21 Q. How long would it take the Board to review a
22 complaint involving dozens of doctors and thousands
23 of illegitimate prescriptions?

24 A. Depends upon how many medical records and

1 paperwork and documentation associated with the
2 complaint.

3 Q. Well, let's say there's a thousand
4 illegitimate prescriptions.

5 A. It honestly depends on how much, you know,
6 documentation is associated with it. You know, that
7 -- it could be an exhaustive investigation.

8 Q. The timeframe that you gave me, nine months
9 to a year to investigate a prescription allegation,
10 allegation that a prescriber was writing improper
11 prescriptions you said would be about nine months to
12 a year. You were considering one doctor and one
13 illegitimate prescription or a handful of
14 illegitimate prescriptions, fair?

15 A. I mean, it depends on all the -- the
16 different factors of the investigation and the
17 documentation that's there.

18 Q. Sure, but --

19 A. Considering the Board only meets once a
20 month, that can delay things, because you know, at
21 each juncture, it's got different stages to it, and
22 since the Board doesn't meet more frequently than
23 monthly, you know, that is one thing that can draw it
24 out as well.

1 Q. Sure. And what I'm trying to understand is
2 when you gave me nine months to a year in some cases
3 of prescription writing violations, you were not --
4 that would be a case of an individual licensee and a
5 handful of prescriptions, not thousands of
6 prescriptions and dozens of prescribers, right?

7 A. You know, again, it depends.

8 Q. Well, what were you thinking when you
9 answered that question, Mr. Dorsey? Were you
10 thinking of thousands of prescriptions, or were you
11 thinking about the case of a handful of
12 prescriptions?

13 A. I was trying to put a ballpark figure on it
14 for you.

15 You know, it's -- you know, again, it --
16 depending upon the complexity of an investigation,
17 that's really what dictates the timeframe. So you
18 know, trying to put a ballpark figure on it, but the
19 more pieces you add to it, you know, the more complex
20 it can be.

21 Q. And the longer it takes, right?

22 A. Potentially.

23 Q. Does the board look for trends in complaints
24 that are submitted to it, whether they be trends in

1 Q. What is the process or procedure once the
2 Georgia Composite Medical Board would make a
3 disciplinary action determination about a licensee to
4 notify the public of that decision?

5 A. If it goes through the -- the complaint
6 process and the Board votes to impose discipline.

7 Q. How does the Board inform the public of its
8 decisions to impose discipline?

9 A. It -- so we have obviously the public board
10 order that gets posted on to the Board's website. We
11 have a license lookup tool on our website where
12 anyone can access it and they can type in the
13 person's -- a physician's name with their license
14 number and pull up a profile of that physician, and
15 if there's any public documents associated with that
16 physician, it would be listed on there.

17 Every month after the board meeting, there
18 are public board orders that are posted on to our
19 website. It's usually about a month behind, so you
20 know, the ones from August should be up there now,
21 the ones from September should get up there around
22 September 30th or October 1st, if that timeline makes
23 sense, so...

24 Q. It's possible that the Board could decide to

1 revoke a licensee's ability to write prescriptions,
2 correct?

3 A. The Board could impose discipline on a -- on
4 a licensee and with certain restrictions.

5 Q. And the Board can restrict a licensee's
6 ability to write prescriptions, correct?

7 A. I believe that is something that the Board
8 has the authority to do.

9 Q. Or suspend a licensee's ability to write
10 prescriptions, correct?

11 A. I believe so.

12 Q. What does the Board do to notify pharmacies
13 that it has taken disciplinary action with respect to
14 a licensee that would limit that licensee's ability
15 to write prescriptions?

16 A. I mean, we post that information on our
17 website, and anyone -- any member of the public can
18 access it at any time.

19 Q. Does --

20 A. So they could, for example, go to our
21 website and take a look at the previous month and see
22 what board orders are there and see exactly what's
23 listed in those orders.

24 Q. Does the Board share those orders in any

1 kind of formalized way with pharmacies when the Board
2 issues an order that would impact a licensee's
3 ability to write prescriptions?

4 A. We post it on our website and it's
5 accessible for anyone to take a look at it.

6 Q. Anything other than that?

7 A. Yeah, I mean, a lot of entities will utilize
8 our website in taking a look at board actions.

9 Q. Sure, but my question was does the Board do
10 anything other than post to its website the board
11 actions to share that information with pharmacies
12 when it restricts a licensee's ability to write
13 prescriptions?

14 A. We don't explicitly share it with
15 pharmacies, but we do provide that information on our
16 website, and if a pharmacist or someone who works at
17 a pharmacy wanted to access that information, it is
18 there for them to do so.

19 Q. Let's scroll down to number 11, please, on
20 page 7. This one is a little long.

21 All communications with the Georgia
22 Department of Public Health, the Department of
23 Community Health, and/or Cobb Douglas Public Health
24 relating to prescribing or dispensing prescription

CERTIFICATE OF

CERTIFIED SHORTHAND REPORTER

I, Beth Radtke, a Certified Shorthand Reporter of the State of Illinois, CSR License No. 084-004561, do hereby certify:

That previous to the commencement of the examination of the aforesaid witness, the witness was duly sworn by me to testify the whole truth concerning the matters herein;

That the foregoing deposition transcript was stenographically reported by me and was thereafter reduced to typewriting under my personal direction and constitutes a true and accurate record of the testimony given and the proceedings had at the aforesaid deposition;

That I am not a relative or employee or attorney or counsel for any of the parties herein, nor am I interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand at Chicago, Illinois, this 20th day of September, 2023.



Beth Radtke, RPR, CRR

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